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REVIEW OF  
EDUCATIONAL LEGISLATION  
1919 AND 1920

By

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[ Advance sheets from the Biennial Survey of Education  
in the United States, 1918-1920 ]



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# REVIEW OF EDUCATIONAL LEGISLATION, 1919 AND 1920.

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CONTENTS.—Introduction; new school codes; State boards of education; the chief State school officer; county school organization; county superintendents; public-school support; teachers' salaries; teachers' pensions; the training of teachers; compulsory attendance; the school term; continuation schools; Americanization; health of school children; improvement of the rural school; high schools; kindergartens; provisions for special classes; libraries; Congress and education.

The school legislation of the two-year period here under review comprises the most recent enactments of all the States, since all legislatures met within the period, and six States—Massachusetts, Rhode Island, New York, New Jersey, South Carolina, and Georgia—whose lawmakers meet annually, held two meetings of their respective legislative bodies. In addition to regular sessions, a number of special, or called, sessions were held. By reason of postwar conditions and the attendant need of reconstruction measures, this number was considerably larger than usual for a like period.

The odd-numbered year is by far the larger year for State legislation, since most States hold biennial sessions soon after the beginning of the year following the general election in November, at which members of the legislative assemblies are usually chosen. Including annual sessions, the ratio of the number of legislatures of odd years to that of even years is as 43 to 11. The review here undertaken, therefore, treats enactments somewhat more than three-fourths of which became effective in 1919, and less than one-fourth in 1920.

The method of this review is designed to be narrative and interpretative. Otherwise expressed, the effort is to call attention to those enactments in which legislative bodies have responded to important educational movements or tendencies and, as far as possible, to interpret these enactments in the light of sound professional opinion or recognized good precedent.

Any effort at treatment of recent educational legislation which took no notice of the effects of the World War would be inadequate and probably futile. These effects began to be discernible as early as 1917, the year of America's entry into the hostilities, and have continued to the present time.

The most outstanding war fact, so far as the schools are concerned, is the new national interest in education. This is seen both in measures before the Congress and in State enactments. In the former case numerous measures have been considered, including proposals for a national department of education and a system of national aid to the common schools, and completed enactments for the increase of funds for vocational training, for the rehabilitation of disabled soldiers and of persons injured in industry or otherwise. State legislation exemplifies this war fact in the effort to make better American citizens of boys and girls in process of education. Otherwise expressed, the State has added a more vigorous national interest to its objectives in education.

Some other lessons learned from the war are exemplified in a new spirit of justice to the weak and a new conception of possibilities in the provision of education.

What has been noted above with respect to the effects of the war applies alike to both years of the period under review here, but possibly with somewhat more emphasis on the year 1919. For, as has already been pointed out, there were fewer legislatures in session in 1920, and by the time these were regularly at their duties postwar economic conditions were beginning to affect the making of laws. To sum up the general results of the lawmaking of the biennial period, the principal educational enactments comprise provisions for more school moneys, including, particularly, more State participation in school support; increases of teachers' salaries and enlargement and improvement of facilities for training teachers; acts for the promotion of physical training and other health work; requirements of school attendance through longer school terms and more of the years of child life; measures for the advancement of vocational efficiency; efforts toward a constructive scheme of patriotic and "Americanization" education and elimination of illiteracy; extension of high-school opportunities; better provisions for the care and training of subnormal, dependent, and delinquent children; and, in general, improvement of the school system to provide "more and better education" in every way.

In making this study of the more important enactments of the period and attempting to show their place in present-day educational advancement, the writer may serve an additional purpose here. Because of the fact that the year 1920 closes a standard decennial period, brief discussion of the present status of the matter in hand will be introduced at points in the review. Such matters as the organization of State departments of education, the county unit of local school administration, compulsory school attendance, teacher training in high schools, teachers' pensions, and the physical welfare of school children have been the subjects of much legislation in recent years, and it would seem desirable to "take stock" at times for the purpose of ascertaining what gains have been made.

#### NEW SCHOOL CODES.

A form of school legislation now of considerable vogue in this country is the "new school code." This represents an effort to bring together in a homogeneous whole and to write as a single legislative act all of the statutory provisions of the State relating to public-school education, and in some of the act of this class normal training and higher education are included. The need for this kind of act is obvious to one at all familiar with the pamphlets of school laws published by State departments of education, for these collection of laws too often constitute a mere patchwork of enactments made many years apart and with little relation to each other, or conceived from diverse and sometimes contradictory points of view. The need is widely recognized in State departments of education, and various State superintendents of public instruction have from time to time urged upon their respective legislatures the passage of complete new codes to eliminate inconsistencies and contradictions if for no more constructive purpose.

Historically, the idea of the "new school code" is not new. Continuing our investigation to the present century, we find that the Legislature of New Jersey as early as October, 1903, passed "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support, and management thereof," which constituted a complete revision of the State's public-school law. Texas followed with an extensive revision in 1905, and Illinois and Washington acts of 1909 reached "school code" proportions.

New York in 1910 passed "An act to amend the education law generally." With the coming of the second decade of the century, the new code movement appears to have been accelerated, for in 1911 Idaho, Nevada, and Pennsylvania each enacted a complete body of new school law; in 1913 Montana and Oklahoma adopted new codes; in 1915 Vermont made a revision which affected most of its school provisions, and Louisiana and Maryland did likewise in 1916. There were no enactments of this class in 1917 or 1918, but in the following year five States—Alabama, Delaware, Georgia, New Hampshire, and West Virginia—either enacted complete school codes or revised their education laws extensively. The enactments of these five States come within the period under review here.

The new Alabama code abolished several State boards and commissions having control of particular branches of the educational system and created a State board of education to succeed to the functions of these boards and commissions and to exercise general control and supervision over the public-school activities of the State, including high schools and institutions for training teachers. There is also created by this act a State council of education "to coordinate the educational efforts" of the State institutions of higher learning. Among other noteworthy provisions of the act are the increase of funds for State administrative purposes and for equalizing school terms; the enlargement of the supervisory powers of public-school officers over private and parochial schools; a clearer definition of the functions of county boards of education and of the legal provisions relating to school taxes and bonds; the extension of compulsory school attendance requirements; and the appropriation of more money for secondary education, both academic and vocational. The new code of this State was enacted in pursuance of the recommendations of a survey commission created by the legislature to make a study of the schools and to report thereon. The immediate work of the survey was intrusted by the commission to a committee of specialists of the United States Bureau of Education, and the report was prepared in the spring of 1919, during which time the legislature was in recess awaiting its submittal.

The new Delaware code of 1919, like that of Alabama, was enacted after a survey of the school system by a committee of educational experts under the supervision of a commission created by the legislature. In this case the immediate work was done by the General Education Board of New York City. The code revised and harmonized generally the provisions of the school laws and defined more clearly the functions of the State board of education and of county boards. The State commissionership of education was more clearly defined as that of executive officer of the State board, and the power of appointing this officer was taken from the governor and vested in the board. The county-unit plan of local school administration was provided for in stronger form, and the number of independent school districts was increased. An important feature of the act was the shifting of the burden of school support from the school district to the county. This act, however, remained in full force only one year, for at a special session of the legislature held in 1920 it was amended at many points. Among the more important changes made by these amendments were a reduction to some extent of the functions of the State commissioner of education and the county superintendents of schools as executive officers, respectively, of the State board of education and the county boards; a change of the provisions relating to consolidation of rural schools, making such consolidation somewhat more difficult; and a new regulation of elections held for the purpose of voting school bonds. The last-mentioned provision is unique. It provided that "every person paying school taxes in any of the said districts shall be entitled to vote and shall have one vote for every dollar or

fractional part of a dollar assessed against him or her according to the last assessment for school purposes."

In the "new code" of Georgia (1919) one-half of the income from State taxes is applied to the maintenance of the public schools, a liberal provision for State participation in school support. Other important provisions of the act include State supervision of schoolhouse construction, extension of high-school education, improvement of the compulsory attendance law, addition of the State superintendent to the membership of boards of trustees of institutions of higher learning, and regulation of degree-conferring institutions. Before the adoption of this code, Georgia was one of those States much in need of such an act in order that inconsistencies and contradictions might be eliminated from the school law. The State superintendent of schools had repeatedly urged the passage of such an act.

The provisions of the new code of West Virginia include a consolidation of State boards similar to that in Alabama, an increase of the State distributive school fund, higher maximum local tax limits, a longer school term, and extension of the application of the compulsory attendance law. Other important provisions were for increases of the salaries of State and county superintendents and a higher minimum salary for teachers.

While not a complete new school code, the New Hampshire act of 1919 amended the school laws generally, particularly those relating to the State department of education and its administrative functions. A State board of education consisting of the governor and five members appointed by him was created and its powers and duties prescribed. The act vests the board with the "same powers of management, supervision, and direction over all public schools in the State as the directors of the ordinary business corporation have over the business of the corporation, except as its powers and duties may be limited by law." Other powers vested in the board include the appointment of a State commissioner of education as the board's executive officer and the prescribing of qualifications to be required of school superintendents and teachers.

#### STATE BOARD OF EDUCATION.

There is probably no subject of school legislation which is approaching a norm or standard more certainly than provisions relating to the State board of education. It is now a widely accepted principle that each State should have such a board for general administrative purposes, principally legislative in character, and that a chief executive officer and a proper corps of assistants be provided to carry out the educational policies outlined in the law and further formulated by the board. It is quite clear that this board is taking more definite form and that its functions are reaching more nearly a proper standard for such an administrative body.

Within the period comprehended in this review, eight States either created new boards or so changed their respective boards' composition that complete reorganization was effected, and three other States made less important changes. Creation of State administrative boards occurred in 1919 in Alabama, Minnesota, New Hampshire, North Dakota, and West Virginia; boards were very materially changed in composition and scope of function in Connecticut, Delaware, and Massachusetts; and less important amendments of board provisions were enacted in Tennessee, Wisconsin, and Wyoming. Changes made in the three States last mentioned involved the addition of the governor to the

<sup>1</sup> This code was further amended by a new school law of 1921, which, in general, provides for more centralized State control.



Tennessee board; the provision for an additional member, one to represent the board for vocational education, on the Wisconsin board; and a transfer from the governor to the State superintendent of the power of naming the appointive members in Wyoming. As a means of showing the nature of present boards in the eight States where changes of major importance were made, the following brief table is given:

*State boards of education.*

State.	Ex officio members.	Appointive members.	By whom appointed.	Total membership.	Terms, years.	Terms overlap?
Alabama.....	2	6	Governor.....	8	12	Yes.
Connecticut.....	2	9	do.....	11	6	Yes.
Delaware.....	5	5	do.....	10	5	Yes.
Massachusetts.....	1	6	do.....	7	3	Yes.
Minnesota.....	5	5	do.....	10	5	Yes.
New Hampshire.....	1	5	do.....	6	5	Yes.
North Dakota.....	2	3	do.....	5	6	Yes.
West Virginia.....	1	6	do.....	7	6	Yes.

The ex officio memberships indicated in the second column of this table are distributed as follows: Alabama, governor and State superintendent; Connecticut, governor and lieutenant governor; Massachusetts, commissioner of education; New Hampshire, governor; North Dakota, State superintendent and commissioner of agriculture and labor; West Virginia, State superintendent. Restriction of membership of appointive members to persons engaged in educational work is not made in any case, except that in West Virginia it is provided that not fewer than three of the members shall be so engaged.\*

From this outline of recent legislative provisions for State boards of education a reasonably well-defined type or norm emerges. The State board provided for by a present-day legislature is one composed of five to eight members, not more than two of whom are ex officio, and none of whom is likely to be ex officio if the board is small in number; appointive members are named by the governor, and usually without regard to their being in educational work; and terms are made sufficiently long and overlapping to secure continuity of administrative policies.

All States,<sup>2</sup> except Illinois, Iowa, Maine, Nebraska, Ohio, and South Dakota, now have general State boards vested with a greater or less degree of administrative control over their systems of public education; and the 6 States named have boards for special purposes, such as the direction and supervision of vocational training. Among the 42 States having general State boards the membership varies from 3 in 6 cases to 13 in 1 case (Indiana). All of the 6 States having only 3 members on their boards are among those which are still served by the older type of board made up wholly of ex officio members. In the country as a whole the median number of members on a State board of education is 7. The board composed of appointive members or in which such members predominate is the prevailing type, there being 27 States in which this is found. With respect to boards being ex officio or appointed, the following statement may be of interest as showing the status of State-board composition at the end of the decennial year 1920:

*All members ex officio.*—Colorado, Florida, Kentucky, Mississippi, Missouri, Nevada, North Carolina, Oregon, and Texas.

\* This provision was eliminated in 1921.

<sup>2</sup> For a more comprehensive treatment of State boards of education, see U. S. Bu. of Educ. Bul., 1920, No. 46, p. 107.

*Ex officio members predominating.*—Arizona, Indiana, Kansas, Virginia, and Washington.

*All members appointed.*—California, Delaware, Maryland, Minnesota, New Jersey, New York, and Vermont.

*Appointed members predominating.*—Alabama, Arkansas, Connecticut, Georgia, Idaho, Louisiana, Massachusetts, Montana, New Hampshire, New Mexico, North Dakota, Oklahoma, Pennsylvania,<sup>3</sup> Rhode Island, South Carolina, Tennessee, Utah, West Virginia, Wisconsin, and Wyoming.

In Michigan the board is elected by popular vote.

#### THE CHIEF STATE SCHOOL OFFICER.

Recent legislation affecting this officer—called in most States "superintendent of public instruction," but increasingly tending to assume the title "commissioner of education"—includes a clearer definition of function, particularly as the executive officer of the State board of education; increase of salary in a number of States; and changes in the method of selecting the superintendent or commissioner, showing some tendency to displace popular election with appointment by the State board.

With respect to a clearer definition of function, all of the States which adopted new school codes in 1919 or which revised their laws extensively made provisions of this nature. The States here referred to were Alabama, Delaware, Georgia, New Hampshire, and West Virginia. Michigan, Minnesota, and a few other States also revised their laws relating to the powers and duties of the State superintendent or commissioner of education, but in less extent. The principal tendencies seen in most of this legislation are, as already pointed out, to make the superintendent or commissioner the executive officer in fact of the State board of education and to extend his general supervisory powers.

It is around the method of selecting the chief State school officer that the most determined legislative efforts in administrative matters have centered. It is generally urged by school administrators and other authorities on the subject that this office should be removed from the political partisanship and undue hazards of popular election and made subject to appointment by the administrative board under which it is to function. But a conservatism born of long years of looking upon State offices as elective, the fact that this office is provided for by constitutional provision in a number of the States, and perhaps the threatened disturbance of the political fortunes of an individual here or there have retarded the making of a change so logically urged. It will be noted, however, that the tendency toward appointment is gaining ground. By joint resolution, the Legislature of Indiana in 1919 proposed and referred to the legislature of 1921 an amendment to the State constitution which would direct the legislature to "provide for the appointment of a State superintendent of public instruction, whose term of office, duties, and compensation shall be prescribed by law."<sup>4</sup> A similar amendment was offered in Kentucky in 1920 when the legislature proposed to amend the constitution of that State by striking out of it the words "superintendent of public instruction" wherever they occurred and thus leaving to the legislature the provision for this officer. This amendment was ratified by the voters at the general election in 1920, and the legislature may in 1922 or at any subsequent session provide for the appointment of

<sup>3</sup> By act of 1921, Pennsylvania displaced its State board of education with a "State council of education," consisting of 9 members appointed by the governor and the superintendent of public instruction, ex officio.

<sup>4</sup> This amendment was agreed to by the legislature of 1921 and submitted to a vote of the people Sept. 6, 1921. It was rejected by the people.



a chief school officer and may, if it chooses so to do, change the title to "commissioner of education," or other appropriate title.

Five States in 1919 changed by statute their methods of selecting the chief executive officer of their school systems. In Delaware, Minnesota, and New Hampshire appointment by the State board of education displaced appointment by the governor. Massachusetts and Tennessee, however, reversed this order and now vest the power to appoint in the governor. No change of similar nature was made in 1920. An outline of the present method of selecting the chief school officer in each State is herewith given.

*Election by popular vote.*—Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Carolina, North Dakota, Oklahoma, Oregon, South Carolina, South Dakota, Texas, Utah, Virginia, Washington, West Virginia, and Wisconsin.

*Appointment by State board of education.*—Connecticut, Delaware, Maryland, Minnesota, New Hampshire, New York, Rhode Island, and Vermont.

*Appointment by governor.*—Maine, Massachusetts, New Jersey, Ohio, Pennsylvania, and Tennessee.

In each of the States of Idaho and Wyoming, the superintendent of public instruction is elected by popular vote, and a commissioner of education is appointed by the State board of education.

#### COUNTY SCHOOL ORGANIZATION.

By reason of the fact that the county is an important civil unit, particularly in the South and West, and of a widespread belief in its suitability for rural-school administrative and supervisory purposes, this unit has gained considerable ground in recent years as an agency for public-school provision. The "county unit" of local school administration is now found in one form or other in about one-half of the States; if some four or five are included which have introduced a few of the elements of the county system. As treated by some writers, 20 States are classified as having the county unit in sufficient degree to justify the classification, and these are in a general way divided into two groups according as they may have the strong form or the weaker, or semicounty, form of county organization.

In States classed as having the strong form, county school authorities, in contradistinction to district authorities, constitute the dominant school administrative agencies, while in those having the weaker form the district system still prevails and in general the district authorities predominate, but some important functions partaking of the nature of county administration are given to the county authorities. Under the strong form, the county is a considerable contributor to public-school support; the county board of education is given superior power in the general control of the schools, the hiring of teachers, and the arrangement of district boundary lines; and in nearly all cases the county superintendent of schools is chosen by the county board. From a legal point of view, the distinction between the strong and the weaker form lies along the line of corporate power. If the law makes the county board of education the dominant "body corporate," the strong form of county unit obtains; but if the district school board is given the dominant corporate power for local school purposes, the weaker form obtains, however many may be the auxiliary functions intrusted to the county board.

In conformity with this brief definition, the following States are named as having the county unit in strong form: Alabama, Delaware,\* Florida, Ken-

\* Delaware in 1921 displaced the county unit with a more centralized State control.

tucky, Louisiana, Maryland, New Mexico, North Carolina, Tennessee, and Utah.

Four counties of Georgia also have this form.

States having school organization of the weaker, or "semicounty" type, are: Arizona, Arkansas, California, Georgia, Mississippi, Ohio, South Carolina, Texas, Virginia, and Washington.

Two States, Montana and Nebraska, have enacted laws providing for the county unit, but have made the application of the laws subject to local option. That is to say, the plan is put into operation only in those counties where it is accepted and enforced by vote of the people. In Montana some counties have adopted the plan, but in Nebraska no county has ever voted favorably on it.

Some beginnings with county school administration have been made in Iowa, Minnesota, and Wisconsin, each of which provides for a county board of education. In Iowa, the duties of this board, under an act of 1919, are (1) to select textbooks in counties having county uniformity; (2) to pass on the boundaries of proposed consolidated school districts in case of appeal from the county superintendent; and (3) to serve as an advisory board to the county superintendent. In Minnesota county boards are provided for the purpose of maintaining schools in unorganized territory, and in Wisconsin the board's duties are connected with textbooks in counties where county uniformity obtains. Wisconsin also has county "committees on common schools," whose duties are connected with the creation, dissolution, or consolidation of school districts.

Legislation under this head within the two-year period considered here shows no great tendency to constructive change, but several States enacted laws on the subject. Perhaps the most noteworthy of these was that of Arkansas, passed in 1919. This act provided for the modified, or semicounty, form of county-unit control. A county board of education, consisting of five members elected by popular vote, is provided in the act. The principal powers conferred upon this board comprise the selection of the county superintendent of schools, the apportionment of school funds to districts, the maintenance of county high schools when funds are available, and the arrangement of district boundary lines. No county tax is provided for the common schools, and authority over the employment of teachers is not vested in the county board.

Other acts of 1919 included a clearer definition and enlargement of the functions of county boards in Alabama and Delaware; the enumeration of the duties of county boards in Iowa, as already indicated; the local option act of Montana; and the regulation of the election of members of boards in Utah. An Oregon act of the same year provided for county-unit organization in any county of that State having 25,000 or more children of school age. The county school district, under this act, includes all local districts except existing districts of the first class. The law applies only to Multnomah County, in which is situated the city of Portland.

Legislation relating to county school systems was enacted in 1920 in Kentucky, Louisiana, and South Carolina, and a constitutional amendment designed to leave to the legislature the matter of adopting a plan of local school administration was proposed in Virginia. The Kentucky act reorganizes the county boards of that State and vests in them the power of choosing county superintendents after 1921. The new law of Louisiana enlarges the powers of parish [county] boards with regard to local school taxes and the arrangement of district boundary lines; and the South Carolina act provides that county boards shall each be composed of the county superintendent and two persons appointed by the State board of education.

## COUNTY SUPERINTENDENTS.

For the purpose of school supervision outside of cities employing their own superintendents, all States provide for county superintendents of schools, except the New England States, where the superintendent is employed by a town or union of towns; New York, in which district superintendents are provided for; Virginia, whose supervisory unit is the "division," in most cases coextensive with the county; and Nevada, which is divided into five supervisory districts each under a deputy State superintendent. There are, therefore, 30 States in which the chief local supervisory officer is the county superintendent of schools.

This office is filled by popular election in 25 States, as follows: Arizona, California, Colorado, Florida, Georgia, Idaho, Illinois, Kansas, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, Oregon, South Carolina, South Dakota, Texas, Washington, West Virginia, Wisconsin, and Wyoming.

The county boards of education appoint the superintendents in nine States, as follows: Alabama, Arkansas, Delaware,\* Kentucky, Louisiana, Maryland, North Carolina, Ohio, and Utah.

Indiana, Iowa, and Pennsylvania provide for the choice of their county superintendents at county conventions of township or district school trustees or directors. In New Jersey the State commissioner of education appoints, and Tennessee vests the appointing power in the county court (a fiscal board).

Within the period treated here, two States, Arkansas and Kentucky, changed their method of choosing the county superintendent of schools. The change was in each case from popular election to appointment by the county board of education. This would seem to be in keeping with present-day tendency.

Other noteworthy phases of recent legislation relating to county superintendents are seen in numerous increases of salaries, provisions for assistant superintendents, and authorizations of payment from public funds of the traveling and other official expenses of superintendents. The employment of assistant county superintendents of schools is a subject which would seem to need more thorough study than has heretofore been given to it, for there are apparently no accepted standards or approved bases of such employment. With respect to the number of assistants needed, the teacher basis is probably the prevailing one; that is, an assistant is provided in any county having more than, say, 100 teachers subject to county supervision, and an additional assistant where the excess over 100 teachers is more than a stated number. Another question here is whether supervision should be arranged by territorial assignment to assistants or all radiate from the central office of the county superintendent. There appears to be no standard of service in this respect.

## PUBLIC-SCHOOL SUPPORT.

Practically all States make appropriations or levy State taxes for the support of the public schools; 27 States provide a considerable county tax for the same purpose; and school taxation by townships, districts, or other units smaller than the county is authorized throughout the whole country, except in Maryland.

With regard to State contribution to school support, the student of the subject will soon discover a variety of practice. In the first place, the proportion which the State, in contradistinction to county and district, pays for

\*The Delaware school law of 1921 makes no provision for county superintendents.

public-school education varies widely. In 1918 this proportion varied from 2.2 per cent of all school revenue receipts in Iowa to 63.7 per cent of like receipts in Alabama.<sup>7</sup> Other States which showed a greater proportion than 20 per cent paid by the State as such were Arizona, Arkansas, California, Delaware, Florida, Georgia, Kentucky, Louisiana, Maine, Maryland, Michigan, Minnesota, Mississippi, Nevada, New Jersey, New Mexico, Texas, Utah, Vermont, Virginia, Washington, and Wyoming.

In general two methods prevail in the matter of providing State school moneys: (1) Appropriations from the ordinary revenues, and (2) State taxes specifically for school purposes. State school taxes of 1 mill or more, or the equivalent, are provided by law in Alabama, Arizona, Arkansas, California, Florida, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Minnesota, Nevada, New Jersey, North Carolina, Ohio, Texas, Utah, Vermont, Virginia, and Washington.

It will be seen that this list shows reasonably close conformity to the preceding list of States paying more than 20 per cent of the cost of maintaining the schools within their borders.

County taxes for common-school purposes are levied in Alabama, Arizona, California, Colorado, Delaware, Florida, Georgia, Idaho, Iowa, Kentucky, Louisiana, Maryland, Mississippi, Montana, Nevada, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, South Carolina, Tennessee, Utah, Virginia, Washington, Wisconsin, and Wyoming.

This list includes all States having the "county unit" of local school administration, except Arkansas and Texas, which have that unit of administration in weaker or modified form. A few States not having the county unit also are among those providing for county school taxes.

Local taxation in districts or other units smaller than the county is found in all States except Maryland. This statement, however, needs qualification, for there are other States in which within the territory subject to the county board of education no smaller taxing units exists. In such States cities and other independent districts not a part of the county unit may levy taxes within their own borders, but territory subject to the county board may not tax itself, except as a part of the county system. There are two classes of smaller taxing units in county-unit States: (1) Municipal or other independent districts and (2) rural special-tax districts or subdistricts within the county system. Maryland alone does not have the former class and Delaware,<sup>8</sup> Maryland, Tennessee, and Utah are the only States which make no provision for the latter.

One of the noteworthy tendencies in school support is that toward provision for a larger proportion of State contribution. This tendency is seen in all parts of the country, including the South, where the State, as such, is already relatively a very large contributor and where the need, in some sections at least, is rather for the further development of local educational spirit or willingness to pay more school taxes.

Among the States which in 1919 provided for increases in their contributions to the schools were Georgia, Iowa, Pennsylvania, South Carolina, Texas, Utah, and West Virginia. The "new code" of Georgia provides for the application of one half of the income from State taxes to the support of the schools. Iowa increased from \$100,000 to \$150,000 the amount of annual State aid to consolidated rural schools. Pennsylvania also provided aid for consolidation and increased its appropriation for schools in general. South Carolina increased its appropriation for schools, and in Texas an annual appropriation of \$2,000,-

<sup>7</sup> U. S. Bureau of Education, Bulletin, 1920, No. 11, p. 122.

<sup>8</sup> District taxes provided for in 1921.

000 was made for rural districts. An amendment to the constitution of Utah, proposed in 1919 and ratified by the voters at the general election in 1920, permits a State school levy sufficiently high to raise an amount annually which, added to other State funds available, will equal \$25 per capita of persons of school age. Under the new school code of West Virginia, the State distributive school fund was increased to approximately \$1,000,000.

The legislation of 1920 was likewise important as regards State contribution to school support. An initiative measure proposed by petition in California in April, 1920, and ratified by the voters at the election in November, increases the school funds appreciably. It provides from State sources an amount equal to \$30 per pupil in average attendance, and from county sources \$30 per pupil in attendance in elementary schools and \$60 per pupil in high schools. Sixty per cent of county funds thus provided, and all of the State funds, must be used for teachers' salaries.

A Louisiana constitutional amendment, ratified at the general election in November, provides an additional State tax of 1 mill on the dollar. At the same election the State distributive fund of Washington was doubled, being increased from \$10 to \$20 per child of school age.

Four States—New York, Virginia, Mississippi, and Texas—made substantial increases in appropriations for schools. In New York this increase amounted to somewhat more than \$20,000,000, which was added for the purpose of raising teachers' salaries. Virginia increased its State appropriation by more than \$1,000,000. The Mississippi Legislature enacted laws designed to provide equal terms for all the common schools in so far as State funds would go. Under this equalization plan, State aid for common schools was increased all the way from 5 per cent in some cases to 200 or 300 per cent in others. A special session of the Texas Legislature appropriated \$4,000,000 for the purpose of providing higher salaries for teachers.

No great advance can be claimed for county taxation for school purposes during the period covered by this report. Georgia, however, amended its constitution so as to require a county levy of not less than 1 nor more than 5 mills, and Louisiana raised from 5 to 8 mills the minimum parish (county) levy permitted under the constitution of that State. North Carolina revised its system of school finance by providing a six months' term for all schools and directing that the State and county, in approximately equal proportions, bear the expense of a term of that length.

Changes in laws relating to local district taxation have been too numerous to admit of mention of all of them in this review. Generally the tendency has been to raise limits, and wherever it has been necessary to change the statutes or amend the constitution to make the rise, such action has usually been taken. Within very recent years nearly every State has amended its local school tax laws, and invariably the amendment has operated to make more liberal provision of school funds.

#### TEACHERS' SALARIES.

A growing appreciation of the importance of adequate pay rates for teachers is seen in the legislation of 1919 and 1920. The injustice of prevailing wages, or the knowledge that the good teacher will quit the profession and enter some other pursuit if not more adequately paid, makes strong argument for the teacher's cause. Increases of school funds, which have already been noted, have no doubt materially raised the pay of the teaching staff, for this was the principal purpose in providing more funds, but the problem has been attacked



from other angles as well. The "minimum salary law" has been much in evidence in the two-year period under consideration here.

A Colorado act of 1919 required districts of the first or second class to pay teachers not less than \$75 a month, and districts of the third class not less than \$600. Under an Iowa act a teacher who has received a degree upon completion of a four-year college course and who holds a State certificate or diploma must be paid not less than \$100 per month, and on acquiring two years of successful experience not less than \$120. Below this grade a schedule of minima is prescribed for teachers of different grades, the lowest permissible salary being \$50 per month to the holder of a third-grade county certificate. In New Jersey it is unlawful under an act of 1919 to pay a teacher less than \$70 per month, while in Oregon \$75 was the amount thus fixed upon. An act of Pennsylvania passed in 1919 followed somewhat the same lines as that of Iowa, where the minimum pay permitted is based on the grade of certificate held by the teacher, but the Pennsylvania measure provides increases for all teachers over the salaries paid in the school year 1918-19 and makes a large State appropriation for this purpose. The new code of West Virginia raised from \$50 to \$75 the minimum monthly pay of holders of first-grade certificates, and teachers of lower grade were similarly protected.

The salary legislation of 1920 was not unlike that of 1919; the tendency was to raise minimum salaries. The salary law of Indiana, which bases minimum rates of pay on the grade made by the teacher at examination and on successful experience in teaching, was amended in 1919, and again at a special session in 1920. An outline of the act of 1920 follows: Beginning teachers must be paid not less than 4½ cents multiplied by the "general average given such teacher on his highest grade of license at the time of contracting"; a teacher of one year's successful experience, 4½ cents so multiplied; a teacher of three or more years' experience, 5½ cents so multiplied; a teacher of five or more years' experience, 6 cents so multiplied; a teacher now exempt from examination, 6½ cents multiplied by the "general average of scholarship and success given such teacher." Minimum wage paid any teacher in the common schools must be not less than \$800 per annum.

A Kentucky act (1920) places the minimum monthly salary at \$75 when that amount can be paid from available State funds and a county tax of 25 cents on the hundred dollars levied in the territory outside of independent districts. An act of the Maryland Legislature fixes the minimum for white teachers at \$600 per year and for colored at \$40 per month. These amounts are fixed for teachers of the lowest grade of certificate; higher minima are prescribed for higher grades of elementary teachers, and for teachers in high school. Wisconsin act, passed at a special session of the legislature, requires the payment of not less than \$100 per month in cities of the first class and not less than \$75 in other districts.

The most thoroughgoing salary revision in 1920 was that made by the New York Legislature. It carries a large increase of State participation in school support and embodies an elaborate salary schedule for all the elementary and high-school teachers of the State. A State appropriation for carrying out the purposes of the act is made. The following outline of the provisions of the act was published in a bulletin of the New York State education department:

The salary of each teacher employed in a common-school district under the provisions of this act shall not be less than at the rate of \$800 for a term of 40 weeks. This means at least \$20 a week, and is effective for the school year beginning August 1, 1920.

In addition to the regular district and regular teachers' quotas, the quota under this act to a district employing more than one teacher is \$250 for each full-time teacher. Districts employing but one teacher and having an assessed

valuation of over \$100,000 will receive [from the State] a quota of \$200. Districts employing but one teacher and having an assessed valuation of \$100,000 or less shall receive a quota of \$200 and in addition \$2 for each entire \$1,000 that the assessed valuation is less than \$100,000.

Where teachers are employed for a school year of less than 40 weeks, the quotas will be reduced proportionately.

In union free-school districts of over 4,500 population having a superintendent of schools the minimum salary for elementary teachers is \$1,000 and for high-school teachers is \$1,150. The number of increments in each case must be not less than 8. The quota under the new bill is \$350 a teacher, which is in addition to the regular district and regular teachers' quotas.

In union free-school districts of less than 4,500 population maintaining an approved academic department, the minimum salary for elementary teachers is \$800 and for high-school teachers \$900. The number of increments in each case must be not less than 8. The quota is \$300 per teacher.

In districts not maintaining an academic department salary must be at least \$800 for the school year of 40 weeks. The quota is \$250 a teacher, if employing more than one teacher.

All union free-school districts maintaining academic departments must file schedules of salaries effective August 1, 1920, which shall be not less than those prescribed in the bill. Quotas will not be apportioned unless such schedules are filed with the department.

It must appear that each teacher who has been retained in the school since the school year 1918-19 is being paid for the school year beginning August 1, 1920, at least the amount of the quota apportioned under this law on account of such teacher in excess of the salary paid under the schedule or contract in effect March 1, 1919.

Where new positions are created and additional teachers employed they must be paid according to the schedules adopted and filed.

Other provisions of the law relate to quotas for cities and are similar to those for common-school districts and union free school districts, except that higher minimum salaries are specified and quotas are larger.

#### TEACHERS' PENSIONS.

The feeling of security with respect to old age and the satisfied sense of justice as regards old and faithful public servants, which are promoted by a teachers' retirement system, operate to place teachers' pensions in close relationship with salaries. Pensions are in fact a form of compensation; particularly so, when public funds are used, as should be the case, to pay at least a part of the annuity to which the retired superannuated or disabled teacher becomes entitled.

The movement for retirement systems is of recent origin in the United States, being a part (though somewhat belated) of the world movement for social insurance—in this case social justice to poorly paid public servants. Successful teachers' pension systems in existence in this country before the beginning of the present century could almost be counted on the fingers of one hand. And yet, as will be shown later, the movement is now spread to all sections of the country.

Within the period 1910-20 there were several noteworthy items of pension legislation. These acts generally provided for State systems, as distinguished from local city systems, or amended older laws of state-wide application. There were, however, a few enactments of a local nature. The latter included the establishment of a retirement system for the city of Montgomery, Ala.; amendment of pension provisions relating to districts of the first class in Colorado; prescription of maximum tax rates for pension purposes in cities of the first class in Minnesota; and authorization of local systems in school districts under rules prescribed by the State board of education of West Virginia.

Among the amendments in 1919 of laws of state-wide application were those of Arizona and Nevada, where the full annuity was fixed at \$600, and the acts of Connecticut and New York, where the benefits of the pension system were extended to teachers in incorporated secondary schools or academies not strictly public schools but functioning as a part of the public-school system under contract or like arrangement. The New York act (ch. 103) defines "public school" to include an academy in a union free-school district which has been adopted as the academic department of the district or with which lawful contract has been made for the purpose of providing instruction of secondary grade. In North Dakota the benefits of the retirement fund were extended to instructors in State educational institutions, superintendents, assistant superintendents, supervisors, inspectors, and principals. Vermont and Washington laws were amended in various respects, and a Wisconsin revision included regulation of assessments on teachers' salaries and allowance of credit for teaching service, and also a provision for the physical examination of persons retired on account of disability.

Complete new pension laws of state-wide application were passed in 1919 by the Legislatures of New Jersey, Ohio, and Oklahoma. The New Jersey act was passed in pursuance of the report and recommendations of a "pension and retirement fund commission" created two years previously by the legislature.

The pension legislation of 1920 presents no conspicuous examples of change, but the laws of Maryland, Massachusetts, New Jersey, and New York were amended in important particulars. Tendencies in pension laws are, in general, toward a larger participation of public funds in the support of the system, clearer definition of terms, and financial soundness through the application of scientific actuarial data and more businesslike administration.

At the close of the year 1920 a survey of the country as a whole discovers few States that have made no beginning with the retirement of superannuated or disabled teachers. With reference to their applicability, pension laws may be shown according to the following general classification:

*States having laws for certain cities only.*—Alabama, Colorado, Delaware, Iowa, Kansas, Kentucky, Louisiana, Missouri, Nebraska, Oregon, South Carolina, Tennessee, Utah, Washington, and West Virginia.

*States having laws of state-wide application.*—Arizona, California, Connecticut, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Montana, Nevada, New Hampshire, New Jersey, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, Vermont, Virginia, and Wisconsin.

By "state-wide application," it is meant that these are State systems in contradistinction to local systems. A number of the States of this group also have local systems in one or more of their cities. In Boston, New York, Baltimore, Detroit, Indianapolis, and Chicago, for example, there are separate city systems.

#### THE TRAINING OF TEACHERS.

This is a subject of constant legislation. The State normal school and teacher-training courses in high schools are represented in the more important enactments under this head. Increases of appropriations for the State schools were made in several States in 1919; among these were Maine, Connecticut, and Alabama. Nebraska increased its State tax for normal-school purposes from 85/100 mill to 1 mill; and New Mexico provided a system of scholarships, two from each county, for the purpose of training teachers for rural schools. Another act of the New Mexico Legislature provided for the payment of the traveling expenses, less \$3 each, of normal-school students.

preparing to teach in the State. A Massachusetts act also provided aid for students, an appropriation of \$4,000 being authorized for that purpose.

A State normal school was established in 1919 at Marquette, in northern Michigan; and the State of Washington provided for an additional school, to be located at Centralia, and directed the levy of a tax for its maintenance. In Missouri the State was divided into five districts, and the normal schools (called teachers colleges" in the act) were named for the respective districts where located, as "Central Missouri State Teachers College," "Northeast Missouri State Teachers College," etc.

An act of the Maine Legislature of 1919 represents an especial effort to improve the teaching service in rural communities. It directs the State superintendent to make provision for a school of instruction during the summer months for a number of rural teachers not to exceed 100. Persons eligible are selected by the State superintendent on recommendation of superintendents of rural towns. Teachers so selected must agree to return to their respective towns for at least one year of service as rural critic and helping teachers. For successful service after this training, a teacher is entitled under the law to a bonus equal to 25 per cent of the salary paid by the town. A State appropriation is made to pay the expenses of travel and board of student teachers taking the course.

The legislation of 1920 included few important acts relating to State normal schools. New York and New Jersey increased the salaries of professors and instructors in their teacher-training institutions, and the former State provided for the establishment of an additional school of this grade. This was located at White Plains. The name of the Rhode Island Normal School was changed to Rhode Island College of Education. This State also made provision for the payment of the traveling expenses, but not exceeding \$40 per student each quarter year, of normal-school students. The aggregate expenditure for this purpose, however, must not exceed \$6,000 per annum.

*Teacher training in high schools.*—One-half of the States have made special legal provision for teacher-training courses in public high schools or other schools of secondary grade, and a few others have by administrative action made some beginning with this kind of training. The States which have laws on the subject are: Arkansas, Florida, Illinois, Iowa, Kansas, Maryland, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New York, North Carolina, Ohio, Oklahoma, Oregon, South Carolina, South Dakota, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.

State aid is generally provided for these schools when approved by the State department of education, and courses are designed to train teachers for rural service. The State of Maine provides State aid for training courses in approved incorporated academies, and the New York law recognizes academies as well as high schools for training purposes. In New York, Ohio, Michigan, and Nevada training classes, while differently designated in the laws, show similarity in that they are generally not organized as a part of the regular secondary-school course but are conducted as independent or separate departments, though the department may be placed in a high-school building. In addition to the normal courses in some of the Wisconsin high schools, that State has a system of "county training schools," which are separate teacher-training institutions.

Legislation enacted in the two-year period of 1919-20 was along the usual lines. South Dakota enacted an initial law on the subject: it provides that high school maintaining an approved training course may receive not over \$1,000 a year from the State, but not more than one school in a county shall

be so aided, and none shall be aided in a county in which is situated a State institution having a recognized normal department. State appropriations for teacher training of this grade were increased in several States, as Iowa, Minnesota, Nebraska, North Carolina, Ohio, and Wisconsin. In Missouri the appointment of a State inspector of teacher training in high schools was authorized.

As closely related to the training of teachers, qualifications required of them by law and provisions relating to certification or licensure might be treated at this point, but it must suffice here merely to say that the same tendency which has prevailed for a number of years, that is, the tendency constantly to require higher qualifications, is present in the enactments of this period. A comprehensive study\* of State laws and regulations governing the certification of teachers has been recently prepared in the Bureau of Education and will be in published form before the review here undertaken comes from the printer.

#### COMPULSORY ATTENDANCE.

Among the most prolific fields in educational legislation is that of compulsory school attendance. Ten years ago, six States—South Carolina, Georgia, Florida, Alabama, Mississippi, and Texas—had no laws on the subject; now all have attendance laws, and these have been in force for sufficient periods of time to give opportunity for extension of application and adoption of more effective means of enforcement. The last of the States to make the initial requirement was Mississippi, whose first attendance law was passed in 1918. This act was of the local-option type and was otherwise inadequate. An act of 1920 displaces the older law and puts more effective provisions in force. It is statewide in application and requires all children between the ages of 7 and 14, inclusive, to attend school four months of each school year. This law, however, retains a vestige of the local-option "joker," for, while applying, as passed, to the entire State, it may be rendered inoperative in any county by vote of the resident electors. The other five States mentioned as having no attendance requirements 10 years ago strengthened their laws in 1917, 1918, or 1919.

The more noteworthy tendencies in recent compulsory education laws operate to extend the age limits, particularly to raise the upper limit to the age of 16; to reduce the number of grounds for exemption; to require a physician's certificate where exemption is claimed on account of the physical or mental incapacity of the child; and to provide better means of enforcement.

Within the period covered by this review more than one-half of the States amended their attendance laws. Since these acts have many points in common and complete treatment of each is impracticable here, only a few typical enactments and the more important provisions will be noted. The attendance requirements of the new school code of Alabama are typical as regards prescribed age limits. The Alabama act (1919) requires children between the ages of 8 and 16 to attend school for the full term, but the county or city board of education, as the case may be, may reduce the compulsory period to 100 days. The age limits here fixed are the ones of most frequent occurrence in other State laws, somewhat more than one-third of the States having fixed these minimum and maximum ages for attendance purposes. Other limits of frequent occurrence are 7 and 16, more than one-fourth of the States having fixed upon these. Among States which in 1919 made their requirements apply to children between 8 and 16 years of age were California, Kansas, Minnesota, Montana, South Dakota, and Tennessee. States which adopted the limits 7 and 16 in the same year were Florida, Michigan, and Nebraska. Kentucky made similar

\* U. S. Bur. of Educ. Bul., 1921, No. 22.



provision in 1920. It may therefore be concluded with reasonable assurance that the age of 16 is the present standard upper limit of required school attendance in this country, and that the lower limit is a variant, being sometimes 7 and sometimes 8, even in the more recent laws.

In passing, it should be noted that the upper compulsory age limit is not absolute, particularly when it is placed above 14, and this is true of most of the laws. The Montana act of 1919 will serve as an illustration. It provides that a youth between 14 and 16 who has completed the work of the eighth grade shall be exempt from further requirements, or a youth within these ages may be permitted to enter lawful employment if his earnings are necessary for the support of the family.

With regard to the term of required attendance within the school year, the tendency has been for some time toward requirement for the full annual session of the public schools, but several States have not yet made full-term requirements. These States with the amount of attendance prescribed in their several laws are: Alabama, full term, but school boards may reduce to 100 days; Arkansas, three-fourths of public-school term; Georgia, 6 months; Iowa, 6 months; Louisiana, full term, but not over 140 days; Mississippi, 4 months; Nebraska,<sup>10</sup> 12 weeks, or two-thirds of longer public-school term; Oklahoma, two-thirds of public-school term; Pennsylvania, full term, but the directors of a fourth-class district may reduce to 70 per cent of full term; South Carolina, 4 months; Texas, 5 months; Utah, 7½ months in cities of the first and second classes and 5 months in other districts; Virginia, 4 months; Wisconsin, 6 months. States which in 1919 raised their requirements to include the full term were Delaware, Florida, Missouri, and Tennessee.

Probably the greatest weakness of compulsory education laws is in the list of exemptions usually attached to the attendance requirement. It would seem to be the practice of opponents of compulsory attendance, when beaten at other points, to make a last stand at exemptions and there try to render any proposed law nugatory. Some exemptions are desirable, of course, but that these provisions in attendance requirements have been much abused can hardly be controverted. The present tendency is to eliminate as much of this exemption list as is consistent with sound judgment and justice to the child and others vitally concerned. Exceptions of children for employment purposes below the age of 14 have now practically disappeared, though a few laws still retain something of this. The Georgia act of 1919, for example, authorizes school boards to make exceptions and in doing so to "take into consideration the seasons for agricultural labor and the need for such labor." Another exception which is much reduced in force is that of the child whose services are claimed for the support of himself or dependents; this is now much restricted, as, for example, by provisions requiring affidavits as to the need, and widows' pension laws are diminishing the claim.

Distance of the child's residence from school no longer exempts as formerly, for transportation provisions and other remedial measures are now applied. An Arizona act of 1919, for example, established a county fund of \$10 per month for each child living in an inaccessible or remote place. A New York act of the same year exemplifies the tendency to require physicians' certificates in cases of claim of exemption on account of the physical or mental incapacity of the child. This act requires a certificate and provides that where the physical condition of the child is capable of correction the child is not excused. Exemption of children who have completed a prescribed amount of school work

<sup>10</sup> By act of 1921 Nebraska requires attendance for full term in city school districts and 6 months in other districts.

is now found in many laws. Where a high standard is set this is a sound basis of exception, for, after all, the purpose of compulsory school attendance is to insure as much education as possible to every person. The present trend is to require at least completion of the work of the elementary grades before the hand of compulsion is lifted.

Improvement of means of enforcement of attendance laws takes several forms. What would seem an effective plan is that of Pennsylvania, which authorizes the State department of education to withhold school funds from any district failing or refusing to enforce the law. Connecticut, in 1919, provided for a State agent to supervise and assist in enforcement, and Iowa put upon the county superintendent of schools additional duties with respect to attendance. In addition to such measures as these, there is constant tendency to increase the number and pay of attendance officers and to fix their duties and responsibilities more definitely.

#### THE SCHOOL TERM.

Two States, Delaware and New Hampshire, provided by acts of 1919 for a minimum public-school term of 9 months in the year, but each of these authorized the State board of education to permit a shorter term. The tendency in other States was in similar manner to increase the yearly period of schooling required by law. Illinois increased its required term from 6 to 7 months; Iowa made similar provision, the increase being from 24 to 32 weeks; and West Virginia fixed 7 months as the minimum annual session permitted in 1921-22, 7½ months in 1922-23, and 8 months in 1923-24 and thereafter. A North Carolina act of the same year is intended to provide, from State and county funds in approximately equal proportions, a 6-month term for every school in the State, and permits local school districts to levy taxes to maintain their schools for additional time or to pay higher salaries to teachers. Alabama and Tennessee provided State equalizing funds, the purpose of which is to extend school facilities where the State department recognizes the need of special aid. In the former case a State appropriation was made, and in the latter a State tax of five-tenths mill was authorized, and one-third of this was designated an "equalizing fund." The new school code of Georgia (1919) directed the county board of education to regulate the school term and "as far as practicable" to maintain school for six months each year.

Virginia and South Carolina passed important acts under this head in 1920. The former provides that no State money may be paid for the public schools of any county or district unless they are maintained 7 months, or 20 days longer than the previous year; but the State board of education, in its discretion, may permit a shorter term. The South Carolina act is designed to guarantee by means of State aid a minimum term of 7 months for schools meeting certain prescribed conditions as to district tax levy, certificate of teacher, number of pupils in attendance, and teacher's salary.

Few subjects of school legislation are more important than the school term; for the time during which schools are kept is, in great degree, the measure of the amount of schooling which a given pupil generation will receive. Every school in every community should be open at least 8 months in the year, but only one-third of the States have legal requirements to that effect, though a few other States report that in practice a longer term is maintained. The minimum terms permitted under the laws of the several States are shown in the following brief table. The figures are for 1920.

*Minimum legal school term.*

	Months.		Months.
Alabama <sup>1</sup>		Nebraska <sup>6</sup>	4
Arizona	8	Nevada	6
Arkansas <sup>2</sup>	3	New Hampshire <sup>4</sup>	9
California	6	New Jersey <sup>4</sup>	9
Colorado <sup>3</sup>	3	New Mexico <sup>7</sup>	9
Connecticut	9	New York	9
Delaware <sup>4</sup>	9	North Carolina	6
Florida	4	North Dakota <sup>5</sup>	7
Georgia <sup>1</sup>	7	Ohio	8
Idaho	7	Oklahoma	3
Illinois	7	Oregon	8
Indiana	6	Pennsylvania <sup>8</sup>	7
Iowa	8	Rhode Island	9
Kansas	7	South Carolina <sup>10</sup>	7
Kentucky	6	South Dakota	7
Louisiana <sup>1</sup>	7 1/2	Tennessee <sup>10</sup>	6
Maine	9	Texas	8
Maryland	8	Utah	8 1/2
Massachusetts	5	Vermont	7
Michigan	6	Virginia <sup>1</sup>	6
Minnesota	4	Washington	7
Mississippi	8	West Virginia <sup>11</sup>	8
Missouri	4	Wisconsin	3
Montana <sup>5</sup>	4	Wyoming	

<sup>1</sup> County board of education regulates.

<sup>2</sup> Minimum term contemplated, but voters may decline to vote tax.

<sup>3</sup> Six months in order to receive State and county aid under teachers' salary law.

<sup>4</sup> State department of education may make exception.

<sup>5</sup> In third-class districts; 9 months in first and second class districts.

<sup>6</sup> In districts with fewer than 20 children; 7 months when maintained by levy of 20 mills.

<sup>7</sup> Statutory tax requirement; constitution provides for 5 months.

<sup>8</sup> Required of district board; 6 months to entitle to State funds.

<sup>9</sup> In fourth-class districts; 8 in third-class; 9 in first and second class districts.

<sup>10</sup> County board regulates; aim is 7 months with special State aid.

<sup>11</sup> Seven and one-half months in 1922-23; 8 months thereafter.

**CONTINUATION SCHOOLS.**

A subject of much legislation in 1919 was the part-time or continuation school. Twenty-two States enacted laws providing for part-time day schools in that year. Of these laws 15 make it compulsory upon school corporations of one kind or another to provide such schools when the stated number of employed minors reside in the district, and the other 7 laws are permissive in character. A few States, as Connecticut, Pennsylvania, and Wisconsin, had, prior to 1919, enacted laws permitting districts to establish and maintain part-time schools.

States which require certain school corporations—usually a city or other school district in which reside some 15 or 20 lawfully employed minors between the ages of 14 and 16 or 16 and 18—to establish and maintain part-time day schools are Arizona, California, Illinois, Iowa, Michigan, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, Oklahoma, Oregon, and Utah.

In a few of these States, as Arizona, Missouri, Montana, New Mexico, and Oregon, the State department of education may excuse the district from establishing the school.

States in which the maintenance of part-time day schools is specifically permitted by law are Connecticut, Indiana, Massachusetts, New Hampshire, Pennsylvania, Rhode Island, South Dakota, Virginia, Washington, West Virginia, and Wisconsin.

The Massachusetts law becomes mandatory in any city or town where the people vote to accept its provisions.

Generally, where part-time schools are provided pursuant to law, attendance thereat is required of certain minors, as, for example, those between 14 and 16

<sup>1</sup> Important laws on this subject were passed in 1921 in Delaware, Florida, and Ohio.

who are lawfully employed and who have not completed the prescribed school work. Kentucky in 1920 made such a provision in its new compulsory attendance law, and Ohio has a similar but older requirement for minors between 15 and 16. The amount of attendance required in part-time school laws is generally from four to eight hours a week, for a number of weeks approximately equal to the term of the common schools.

The part-time school has either the "Americanization" or the vocational aim, and sometimes both aims are contemplated in the same act. The California act, for example, provides for civic and vocational instruction for persons under 18 years of age who are not attending full-time day schools or are not graduates of high schools, and for classes in English and citizenship for those under 21 who can not adequately speak, read, or write the English language. The Indiana law exemplifies the vocational aim.

The points at which exemption is allowed from the requirements of part-time school laws are at wide variance. The law of Arizona, for example, fixes no educational qualification for this purpose, merely requiring attendance of employed minors between 14 and 16 years of age; the Iowa law exempts those over 14 who have completed the work of the elementary school course if in lawful employment; the Illinois requirement is not abated until the age of 18 is reached or the work of a four-year high school completed; Oklahoma exempts after two years of high-school work. Like variety obtains among the other States having part-time laws.

Most of the laws provide that the required hours of schooling, usually from four to eight each week, shall be construed as a part of the lawful weekly period of employment, and employers are directed under penalty to permit the attendance of their employees who are required to attend. The daily period for instruction which is of most frequent occurrence in the laws is that from 8 a. m. to 5 p. m.

#### AMERICANIZATION.

Strictly speaking, this term should apply to the process of Americanizing aliens, or foreigners, who come to our country to live. But this restriction of the word has met with some objection, and, besides, there are not a few people of American birth and residence in whom sufficient intelligence and a proper sense of civic responsibility have not been developed; hence the word tends toward a wider significance than merely "Americanizing" the foreign born. This tendency may be seen, for example, in several bills recently before Congress in which the instruction of immigrants and the elimination of illiteracy among the native population are linked together; and in a number of State laws the two are similarly associated. "Americanization" is accordingly used here for those legislative measures which in effect will promote a more intelligent as well as a more vigorous sense of civic responsibility, a closer identification of the individual with American interests and aims.

Aside from the enactments noted under "Continuance on Schools," many of the States in 1919 enacted laws designed to reduce illiteracy, Americanize the foreign born, or otherwise promote good citizenship. Several of these legislative acts are noteworthy. The Legislature of Alabama appropriated \$12,500 annually for the reduction of illiteracy, this being the State's first appropriation for the purpose, and Georgia created an illiteracy commission. Under an act of the Maine Legislature, cities and towns in which there are persons over 18 years old who can not read, speak, and write the English language "to a reasonable degree of efficiency," or who can not read and write in any language, are authorized to provide special classes for such persons, and the same State



aid as for evening schools is provided for these classes when approved by the State department of education. A New Mexico act authorized county and city boards of education to maintain night schools for illiterate or semi-illiterate adult persons in cases where 10 or more such persons reside in a school district or ward of a city; and a North Dakota provision empowered the county commissioners of any county to appropriate not exceeding \$500 annually to aid in providing special evening classes.

Acts which would seem to have somewhat more of the "Americanization" aim were passed in Massachusetts, Rhode Island, New York, Pennsylvania, Delaware, Ohio, Oklahoma, Montana, South Dakota, and Utah. The Massachusetts act authorized the State board of education, in cooperation with cities and towns, to promote the education of adults unable to speak, read, and write the English language and made a State appropriation of \$10,000 for this purpose. The Rhode Island act provided State aid for evening schools for persons between 16 and 21 years of age unable to speak, read, and write the English language, and added the requirement that such persons must attend at least 200 hours a year upon an evening school or day continuation school. Under the New York act the State commissioner of education, for the purpose of providing instruction for illiterates and non-English-speaking persons over 16 years of age, was authorized to divide the State into zones and to appoint zone directors, teachers, and other necessary employees; a State appropriation of \$100,000 was carried by this act. The Delaware Americanization provision takes the form of a system of State aid for approved classes in the evening or at other times for persons over the age of 16 and unable to speak the English language; classes may, under this act, be maintained in any district where reside 10 or more persons who desire to attend. Pennsylvania and Ohio, in their new laws, aim directly at Americanization of the foreign born, the effort being to promote general education, and more particularly instruction in the principles of citizenship among persons of foreign birth. Montana and Oklahoma acts of 1919 authorize local school boards to provide instruction in English and citizenship, and a South Dakota act embodies a requirement that persons between 16 and 21 not having education equivalent to the completion of the fifth grade attend evening-school classes.

Under the new law of Utah (ch. 93, Laws of 1919) any alien person between 16 and 45 years of age "who does not possess such ability to speak, read, and write the English language as is required for the completion of the fifth grade of the public schools" must attend evening school at least four hours a week throughout the evening-school term, unless such person is "physically or mentally disqualified," or until the necessary ability has been acquired. A State director of Americanization and the organization of evening schools are provided for in the act. Thus Utah would appear to be the first State to require adults to attend school.

The legislation of 1920 was not so large in volume as that of 1919, but several important acts were passed. The New York Legislature included two Americanization measures among its enactments. One of these (ch. 852) authorizes the commissioner of education to provide courses in English, history, civics, and other subjects promoting good citizenship for foreign-born and native adults and minors over 16 years of age, and to employ and fix the pay of teachers for this purpose. The other act (ch. 853) authorizes the commissioner to provide courses for teachers of Americanization subjects, such courses to be organized in State normals and other educational institutions. Appropriations were made for carrying out the purposes of the New York acts.

A New Jersey act (ch. 197, Laws of 1920) authorizes the board of education of any school district to establish and maintain a class or classes for the instruc-



tion of foreign-born residents over 14 years of age. This instruction is to embrace the English language, the form of our Government, and the laws of New Jersey and the United States. The State commissioner of education has general supervision and direction of the work, and teachers of the classes receive apportionment of State and county funds.

Rhode Island acts of 1920 require attendance officers to enforce the Americanization law of 1919 and increase the State appropriation for Americanization work. In Massachusetts, under an act of 1920, American history and civics must be taught in all public elementary and high schools. The aim of this law is better fitting for the duties of citizenship.

A Georgia act legalizes the expenditure of county school funds for training illiterates, and in Mississippi a biennial appropriation of \$25,000 is made for the purpose of encouraging "industrial education, sanitation, and good citizenship" among the negroes. An extension agent operating from Alcorn College (colored) is provided for this purpose.

#### THE HEALTH OF SCHOOL CHILDREN.

As the World War made clear the need of more and better education on the mental side, so the want of adequate physical fitness in our young manhood was revealed by the same means, and in consequence the schools will now take up more vigorously the task of promoting proper physical functioning. In 1919 seven States—Indiana, Maine, Michigan, Oregon, Pennsylvania, Utah, and Washington—passed laws designed to provide more definite programs of physical training in the schools, and in 1920 Alabama, Georgia, Kentucky, Mississippi, and Virginia adopted similar measures.

The acts of Indiana and Utah are merely permissive in effect; that is, local school authorities are permitted but not required to provide physical training in their schools. The Mississippi act is mandatory in form, but adds the provision that it shall become effective only on condition that the Federal Government "provide funds dollar for dollar with the State of Mississippi" for carrying out its purposes. All the other acts of the period are mandatory in character. These laws generally provide for a stipulated amount of physical training each school day or week, and several of them require the maintenance of suitable courses in teacher-training institutions.

The States having physical training laws in force at the close of the year 1920 are as follows:

*Mandatory acts.*—Alabama, California, Delaware, Georgia, Idaho, Illinois, Kentucky, Maine, Maryland, Michigan, Nevada (high schools), New Jersey, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, and Washington.

*Permissive acts.*—Indiana, Nevada (elementary schools), Utah, and Virginia.<sup>2</sup>

*The physical examination of pupils.*—For the purpose of discovering physical and mental defects in public-school pupils and indicating remedial measures as far as practicable, medical inspection laws have been enacted in many of the States. Not all of these laws provide for the examination of pupils by medical experts; the examination, particularly of sight and hearing, is made by the teacher in a number of States or districts within some States. But the tendency is undoubtedly toward the provision of expert examination by a nurse, if not by a physician, of all pupils in the schools.

About one-half of the States enacted new laws or amended older statutes on the subject in the two-year period under review here. In lieu of the extended

<sup>2</sup> In 1921 Connecticut and Massachusetts passed mandatory laws, and Missouri a permissive law.

treatment which any adequate review of these enactments would necessitate a summary is given below which is designed to show briefly the present status (1920) of medical inspection provision in the whole country.

*Mandatory laws—Examination required in public schools.*—Alabama, Colorado (sight, hearing, breathing), Connecticut (cities over 10,000), Florida, Georgia (in counties and health districts with full-time health officers), Idaho (provision to be made by State board of education and State board of health), Kansas (teeth), Kentucky (in counties with full-time health officers), Louisiana (sight and hearing), Maine (sight and hearing), Massachusetts, Montana, Nebraska (sight, hearing, teeth, breathing), Nevada (sight, hearing, teeth, breathing), New Hampshire, New Jersey, New York (except cities of first class), North Carolina, Ohio (inspectors must be employed, but pupil may be exempted), Pennsylvania, Rhode Island (sight and hearing), South Carolina, Utah (sight, hearing, teeth, breathing), Vermont (sight and hearing), Virginia, West Virginia (in independent districts), Wisconsin (where county employs nurse), and Wyoming (in incorporated cities and towns for sight, hearing, breathing).

*Permissive laws: States specifically permitting the physical examination of pupils.*—California, Connecticut (mandatory in cities over 10,000), Delaware, Indiana (mandatory in cities over 100,000), Iowa, Kansas (mandatory for teeth), Kentucky (mandatory where there is full-time health officer), Maine (physical examination for all purposes in cities under 40,000), Maryland, Minnesota, Missouri, New York (in cities of first class), North Dakota, Oregon, Rhode Island (as to employment of medical expert), South Dakota, Utah (as to employment of medical expert), Vermont (as to employment of medical expert), Virginia (as to employment of medical expert), Washington (in school districts of first class), West Virginia (mandatory in independent districts), and Wisconsin (where county employs no nurse).

Close scrutiny will disclose to the reader the absence of the names of several States from the lists given above. These States, with some brief explanation of the status of medical inspection in their schools, are as follows:

Arizona: Trustees may exclude children on account of filthy habits or contagious diseases. Physical examinations are thus impliedly permitted.

Arkansas: State board of education may make regulations for the examination of children to detect contagious diseases and physical defects.

Illinois: No specific legal provision as to inspection.

Michigan: No specific legal provision. Physical examination possibly implied in act requiring physical training.

Mississippi: No specific legal provision. State appropriation in 1920 for child welfare work.

New Mexico: No specific legal provision.

Oklahoma: No specific legal provision.

Tennessee: No specific provision. State board of health undertakes some rural work.

Texas: No specific provision. Exclusion of those with contagious diseases is authorized, and thus physical examination is impliedly permitted.

This brief summary, of course, leaves many questions unanswered. Important among these are: What State administrative authority or authorities are named in the laws? At what times or with what frequency are examinations made under the law? And who is authorized to make the actual examination or test? Space limitations forbid full treatment of these questions here, but some general idea may be had of the trend or prevailing practice.

With regard to the State administrative authority, legal provisions fall into three distinct groups. The State departments of education and health, acting

jointly or in cooperation, are named in the first group; the department of education is named in the second, and the department of health in the third. The provision which would seem to occur with most frequency in the laws is that which directs or authorizes the departments of education and health, acting jointly or in cooperation, to administer the law or give direction or assistance in its administration, but several of the States vest this power in the department of education alone, while as many others show preference for the department of health for this purpose.

There is variety of practice in the matter of the time of examination, but the provision of most frequent occurrence, particularly in the laws of a mandatory nature, is that pupils be examined at least once a year. This would seem to be the trend in legislation on the subject, and a further provision is often added that other examinations may be made as deemed advisable. With respect to the one making the personal examination there is again variety of practice. In general, the teacher, when designated, is expected to make only the less technical tests, such as those of sight and hearing; and the more technical tests and general physical examinations are assigned to physicians or nurses, but this distinction is by no means universal.

Another important question is whether school medical inspection is administered locally by the local school authorities or by the boards of health or civil authorities. Of the 38 States named as providing for inspection under local direction about two-thirds vest administration in the school board, while other States vest it in the local health department or provide for some form of cooperation of school and health agencies. In a few States the school boards control in some districts or municipalities, and the health boards in others.

#### IMPROVEMENT OF THE RURAL SCHOOL.

The insistent demand for school improvement all along the line is nowhere more marked than in the interest of the rural school, and recent legislatures have given no little attention to measures looking to this end. Development of better systems of supervision, extension of high-school privileges in rural communities, the consolidation of rural districts, and the standardization of the school and school plant are among the more important items of legislation under this head. Some phases of supervision and high-school extension are treated in other parts of this review; laws relating to consolidation and to "standardization" are worth some notice here.

The movement for consolidated schools shows no sign of abatement; more than one-half of the States either enacted new laws or amended older laws on the subject within the period treated in this review. Practically all States now provide for consolidation. Some of the noteworthy enactments of the period were those of Georgia, Illinois, Iowa, Minnesota, Nebraska, North Dakota, and Pennsylvania. The Georgia act appropriates \$100,000 to encourage consolidation, \$500 being allowed to each approved school and \$1,000 additional if a standard 4-year high-school course is maintained, but not more than one school in a county may be so aided until all other counties have had opportunity for aid.

The new law of Illinois prescribes the procedure in effecting consolidation. It provides that on petition of 20 per cent, or as many as 200, of the legal voters of the territory proposed to be consolidated, the county superintendent shall call an election in the territory to determine the question. If a majority

\* For more comprehensive treatment of rural supervision, see U. S. Bu. of Educ. Bul. 1922, No. 10.

of the votes cast are in favor of the proposal, the district is consolidated, and a board of seven members is chosen. An Iowa act also provides a method of consolidation, and a second act of the same State increases from \$50 to \$65 the maximum amount of tax that may be levied for each person of school age in a consolidated district.

An enactment of the Minnesota Legislature of 1919 (ch. 443) is significant as regards State aid for consolidated districts. Under this act a class A school receives \$300 and a class B school \$150. For the transportation of pupils an additional \$2,000 is allowed, and three-fourths of any amount in excess of \$2,000 may be paid, but the State will not pay any school more than \$4,000 for such purpose in any year.

The act of the Nebraska Legislature provides for the redistricting of the entire State by county committees of the several counties, for appeals to the State superintendent in matters of controversy with respect to the redistricting, and, finally, for the adoption of the rearranged district by the voters residing therein and the organization of the proposed consolidated or high-school district. The act provides graduated sums of State aid to consolidated schools in proportion to the number of rooms used for instruction. A North Dakota act (ch. 199) relates to the transportation of pupils, and provides for either public conveyance or family conveyance at public expense.

The new law (1919) of Pennsylvania defines a consolidated school and provides State aid for the transportation of pupils. The amount of this aid in any year is fixed at one-half of the sum paid by the district for the same purpose during the previous year, but no amount paid for a vehicle may be included in this sum, and no school may receive over \$3,000 per annum.

A few enactments relating to rural-school consolidation were added to the statutes in 1920. Kentucky, Mississippi, and South Dakota revised their laws in various particulars, notably with respect to their methods of procedure in consolidating or rearranging the boundaries of districts.

*Standard schools.*—A feature of rural-school improvement which should be noticed here, since it has been the subject of considerable legislation within the past few years, is the effort to fix standard types for schools and to promote the standardization of as many as possible. The usual plan is to prescribe requirements which schools must meet in order to be classed as "standard" and to award some mark of distinction to those which qualify. These requirements cover such matters as length of term, equipment, sanitary conditions, and inclusion of special subjects, such as agriculture and home economics, in course of study.

The act of the Legislature of Maine (1919) provides for the rating and standardization of the schools of that State. Whenever the State superintendent is requested so to do, he may send an agent to investigate school conditions and report thereon. This law is designed to improve sanitary conditions, equipment, and teaching processes.

The Legislature of Iowa passed "An act providing for the standardization of rural schools and granting State aid and providing for an appropriation therefor." This law defines a standard school and fixes the minimum requirements. It provides State aid at \$6 per pupil who attended the school during the previous year. The State superintendent is required to furnish a suitable certificate or other mark of distinction to each school approved as standard. The general appropriation bill passed by the Legislature of Missouri the same year provided that the department of education was allowed two additional inspectors of rural schools. The movement for standardizing schools should prove beneficial.

since it makes a wholesome appeal to every community to improve its school and bring it up to a prescribed minimum of quality.

#### HIGH SCHOOLS.

No especially important developments in this field have occurred in the last two years. Legislation has run along the same general lines as in other recent years; that is, toward the extension of high-school privileges, statutory recognition of the "junior high school," and higher standards of secondary education, particularly in the matter of teachers' qualifications and pay.

The extension of high-school privileges takes various forms. Arkansas in 1919 authorized county boards of education to establish and maintain county high schools; and this type of secondary school was authorized in counties of Oklahoma having less than 2,000 persons of school age. The Legislatures of Kansas and of Oregon extended the application of county high-school laws in those States; the former State provided for county aid to high schools other than the county institutions, located at the county seat. In some States, as in Montana and in Nevada, county taxes were authorized for aiding district high schools.

The union of two or more common-school districts, or of portions of contiguous territory without regard to common-school district lines, is a method of high-school provision of frequent occurrence in the acts of legislatures. Many of the States make this provision. Some of the more important enactments of this nature, in the period here treated, were those of Illinois, Massachusetts, and South Carolina in 1919, and Virginia in 1920. The Illinois act authorized the establishment of a secondary school by "any contiguous and compact territory"; Massachusetts provided further for a union of towns for high-school purposes and for State aid therefor; South Carolina authorized a district or union of districts to establish and maintain high schools and granted State aid; and Virginia passed a similar law.

A system of high-school extension, now widespread, is provided for in the laws of a number of States which authorize or direct the payment by the home district of the tuition fees of its qualified high-school pupils attending in another district. This provision usually applies, of course, only to those school corporations which maintain no high school or in which less than the standard four-year course is provided. Much of the high-school legislation of the last two years has been of this kind. The State often grants aid for the payment of tuition and transportation expenses of pupils, and in some cases the whole or a major proportion of these expenses is borne by the State.

Still another form of extension of high-school privileges is seen in laws designed to permit the inclusion of high-school grades in the same school with elementary work. Recent acts of this nature were passed in California, Nevada, South Carolina, and Virginia.

The "junior high school" was recognized by legal enactment in 1919 in Alabama, Indiana, New Hampshire, and Wisconsin. With regard to teachers' salaries, the teachers in secondary schools have generally shared with those in elementary work the benefits of the many recent enactments designed to give the teacher better pay.

#### KINDERGARTENS.

Both from the point of view of fairness to a recognized part of the public-school system and because it is a subject of considerable legislation, the kindergarten should have a part in any extensive review of legislative enactments relating to the schools. Within the period comprehended in this review several



States enacted noteworthy kindergarten laws. Alabama in 1919 gave statutory sanction for the first time to the establishment and maintenance of schools of this grade. Under the provisions of the new school code of that State, city boards of education may now provide kindergartens for persons over 5 years of age. An act of the Indiana Legislature authorizes school boards to establish kindergartens for children between the ages of 4 and 6, and permits a tax of two-tenths of 1 mill for maintenance.

Many authorities on the subject prefer, as a proper kind of kindergarten law, a requirement that the school board establish and maintain a kindergarten class when petitioned so to do by the parents or guardians of a prescribed number (say 20) of children of suitable age residing within a stated distance of the school to which the class is to be attached. This "mandatory on petition" provision places with those in parental relation the determination of the question whether a kindergarten shall be maintained; and this, the advocates of the provision urge, is the proper procedure. An Arizona act of 1919 is of this kind. This act provides that a school board may, and on petition of the parents or guardians of 15 or more children 4½ to 6 years of age living within 2 miles of the school, must establish a kindergarten, the course in which is to have the approval of the State board of education. A special district tax may be levied for the purpose, and the teacher must be a graduate of an approved training school or give other evidence of qualification satisfactory to the State board.

At the close of the year 1920, a survey of the country discloses only six States—Arkansas, Georgia, Mississippi, Nebraska, New Mexico, and Rhode Island—which make no specific legal provision for the maintenance of kindergartens, and it is very probable that in some of these States the necessary power is embodied in some general authorization of the law. It should also be noted that in a few of these States, as in Mississippi and Nebraska, provision is made for the certification of kindergarten teachers. Of the States which provide by law for this grade of school, there are five—Arizona, California, Maine, North Dakota, and Texas—which have laws of the "mandatory on petition" type.\* The Utah law is permissive for the smaller districts, but requires the maintenance of kindergartens in towns and cities of over 2,000 population. All other laws on the subject are merely permissive.

#### PROVISIONS FOR SPECIAL SCHOOLS.

In a previous paragraph of this review mention was made of the new spirit helpfulness to the weak. This new spirit and the demand for better school provision all along the line are combining to work out results in the field indicated by our subject heading here. Legislation affecting the education of the blind, the deaf, the feeble-minded, and the merely backward or retarded child has received new emphasis in many States since the entry of this country into war.

With respect to provisions for the blind and the deaf, two or three phases of legislation are noteworthy. These are seen in increased appropriations or advances for the maintenance and instruction of unfortunates of these classes, as were made in 1919 or 1920 in a number of States, including Connecticut, New York, Michigan, North Carolina, and Alabama; provisions for aid to the adult blind, as in Massachusetts, Rhode Island, New York, Michigan, Wisconsin, Colorado, and Oklahoma; and compulsory education of the blind and the deaf, as provided in Colorado, Iowa, Maine, and Missouri. Assistance for

\* In 1921 a law of this type was passed in Wisconsin and also in Kansas for cities of more than 15,000 population.

blind students in higher institutions is now provided by law in several States, California and Colorado having appropriated funds in 1919 for "readers" for this purpose. Schools for the blind and the deaf of the colored race were established within the period here considered in West Virginia and Louisiana; and Oregon by referendum measure in 1920 added an institution to be known as the "Oregon Employment Institution for the Blind."

A noteworthy type of instruction now found in several States is that provided for one or more kinds of physically or mentally handicapped children in special day classes. These are maintained by local school authorities, and special State aid is usually granted. Minnesota in 1919 granted \$150 per pupil for deaf children and \$200 each for blind children in approved classes of this character. Wisconsin in the same year increased the amount of State aid for special classes, and Missouri enacted a new law directing any school board in whose district there are 10 or more children who are blind or deaf or feeble-minded to provide suitable instruction therefor, and also granting State aid of \$750 for each full-time teacher in an approved class. Gravely retarded children are to receive instruction in special classes under acts (1919) of the Massachusetts and Pennsylvania Legislatures, both of which States make it the duty of the local school authorities to organize such a class when there are 10 or more children, residents of the district, who are retarded as contemplated in the law. Pennsylvania under its act grants State aid equal to one-half of the teacher's salary.

A branch of special education which has shown marked extension since the war is that designed for the feeble-minded child of the type commonly thought of as "institutional." Kentucky, Louisiana, and South Carolina established State institutions for the training of the feeble-minded in 1918; Alabama, Florida, Georgia, and Tennessee put similar laws on their statute books in 1919; and Mississippi followed in 1920. States which already had institutions for the feeble-minded but which provided for additional State schools in 1919 were Ohio, Indiana, and Minnesota. State schools or "colonies" for feeble-minded children are now found in all States except Arizona, Delaware, Idaho, Nevada, New Mexico, and West Virginia.<sup>12</sup>

#### LIBRARIES.

Any builder of an educational system who takes no account of the library will build unwisely. For from whatever school a man may be graduated, he must still be a learner from the printed page if he would be a well-informed man. The completion of a school course is highly important, but well-ordered intelligence, whether acquired in school or elsewhere, is of more importance. And yet, simple and patent as this truth is, it has seldom received the deserved recognition. There are large parts of this country and large proportions of its population in want of library accommodations; certainly large parts in want of adequate accommodations.

The library, however, would seem in recent years to be receiving a better share of the public interest. Within the period here considered, 38 State legislatures enacted laws on the subject.

Recent library legislation has been concerned principally with the need of extension of library privileges, and laws have taken different forms for this purpose. Where cities and towns were not already authorized to maintain libraries and reading rooms, as was the case with some of the smaller municipalities, the tendency was to grant the necessary authority. Authorizations of this nature are now generally in force throughout the country. Another

<sup>12</sup> West Virginia provided for such a school by act of 1921.

form of extension is seen in increases in library funds. Taxation for library purposes was regulated in several States in 1919; among the States whose enactments took this turn were Arizona, Idaho, Illinois, Kansas, Michigan, Oklahoma, and Oregon. In most cases increases were permitted.

The most significant phase of the library legislation of recent years appears in provisions for county library systems. States which in 1919 or 1920 authorized the expenditure of county funds for the extension of library privileges to the people of the county were Alabama, Illinois, Iowa, Kentucky, Minnesota, Mississippi, New Jersey, New York, and Utah. While some of the recent enactments for county libraries in all probability will be found to need radical revision, still this type of law is tending to a reasonably definite form. Many students of the subject prize county library provision as the best form for territory outside of the larger cities, and even in the case of a municipality of 100,000 population or more, it is urged that the system may be made to include the entire county. The trend in these laws is toward the maintenance of a central library at the county seat; the location of branches in other important towns or natural centers; and the circulation of travelling collections which may be distributed from stations placed in schoolhouses, country stores, and like suitable bases. State aid for libraries should be provided in all States, particularly in those having large areas without reading facilities.

In addition to the nine States mentioned above as having legal provisions for county libraries, other States which make similar provision are California, Indiana, Louisiana, Maryland, Michigan, Missouri, Montana, Nebraska, North Carolina, Ohio, Oregon, Pennsylvania, South Carolina, South Dakota, Texas, West Virginia, Wisconsin, and Wyoming.

#### IN GENERAL.

But for space limitation, there might be embodied in this review some notice of various other acts of State legislatures, such as those relating to higher institutions of learning, certain additions to the public-school curriculum, and further provisions for vocational education, but want of space renders curtailment necessary, and, moreover, higher education, vocational education, and various other phases of the educational system are treated elsewhere in the biennial survey, of which the review undertaken in this chapter is a part.

#### CONGRESS AND EDUCATION.

Hardly any Congress in recent years has had before it more numerous and important educational measures than has the Sixty-sixth Congress. Chief among these were the "Smith-Towner bill," or "N. E. A. bill," providing for a Federal department of education coordinate with the other 10 departments of the Government and for Federal aid to common-school education; the "Americanization bill," providing for Americanization of immigrants and the elimination of illiteracy among the native born; the "physical education bill," providing for Federal aid to the States in giving health education; and the "vocational rehabilitation bill," providing for the rehabilitation of persons disabled in industry or otherwise.

The last-mentioned measure passed the two Houses and was approved by the President on June 2, 1920. It appropriates \$750,000 for the fiscal year ending June 30, 1921, and \$1,000,000 for each of the three succeeding years to promote the "rehabilitation of persons disabled in industry or in any legitimate occupation and their return to civil employment." These sums are to be allotted to the States in the proportion which their respective populations bear to the

total population of the United States, not including Territories, outlying possessions, and the District of Columbia, but no State is to receive less than \$5,000, and additional appropriation is made to provide this minimum allotment. The appropriations must be expended in accordance with the following conditions: (1) States or local authorities therein must expend at least an equal amount; (2) State boards must annually submit plans for the approval of the Federal board; (3) State boards must make annual reports to the Federal board; (4) no Federal moneys shall be expended for buildings, equipment, or lands; (5) courses shall be made available as directed by the rules and regulations of the Federal board.

Any State, in order to receive the benefits of this act, must (1) accept its provisions; (2) designate its State board for vocational education to cooperate with the Federal board; (3) provide for cooperation between its State board for vocational education and its board for the administration of the workmen's compensation act, where the latter exists; (4) provide for the support and supervision of the courses; and (5) designate its State treasurer as custodian of funds. The Federal Board for Vocational Education is empowered and directed to administer this act.